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Yes	✓	No
IFP MOTION FILED		
Yes	✓	No
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Court	✓	ProSe

FILED
NOV - 7 2007
CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA
BY <i>RM</i> DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

petitioner:
James Robert Barkacs

'07CV 2139 JAH WMC

D. Adams
(WARDEN)

v.

Respondent:

REQUEST FOR APPOINTMENT OF
COUNSEL UNDER THE CIVIL RIGHTS
ACT OF 1964, 42 U.S.C. 2000e 5(f)(1);
DECLARATION IN SUPPORT OF
REQUEST

1. I, the plaintiff in the above-entitled employment discrimination action, request that the court appoint an attorney to represent me in this matter. In support of this request, I state as follows:

- (A) my claim is meritorious (that is, I have a good case), and
- B. I have made a reasonably diligent effort to obtain counsel, and
- (C) I am unable to find an attorney willing to represent me on terms that I can afford.

2. A copy of the Notice-of-Right-to-Sue-Letter I received from the Equal Opportunity Commission is attached to the complaint which accompanies this request for counsel.

3. A. Does the Notice-of-Right-to-Sue-Letter show that the Commission found "no reasonable cause" to believe the allegations made in your charge were true?

_____ Yes _____ No

1 IF YOUR ANSWER IS "YES," YOU MUST ATTACH A COPY OF THE
2 COMMISSION'S INVESTIGATIVE FILE TO THIS REQUEST AND ANSWER QUESTIONS B
3 AND C.

4 B. Do you question the correctness of the Commission's "no reasonable cause"
5 determination?

6 ☐ Yes ☐ No

7 C. If you answered "yes" to question 3B, what are your reasons for questioning the
8 Commission's determination? Be specific and support your objections with fact. Do not simply
9 repeat the allegations made in your complaint; the court will review your complaint in considering this
10 request for counsel.

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28 (Attach additional sheets as needed)

1 4. Have you talked with any attorney about handling your claim?

2 ☐ Yes ☒ No

3 If "YES," give the following information about each attorney with whom you talked:

4 Attorney: _____

5 When: _____

6 Where: _____

7 How (by telephone, in person, etc.): _____

8 Why attorney was not employed to handle your claim: _____

9 _____

10 _____

11 _____

12 Attorney: _____

13 When: _____

14 Where: _____

15 How (by telephone, in person, etc.): _____

16 Why attorney was not employed to handle your claim: _____

17 _____

18 _____

19 _____

20 Attorney: _____

21 When: _____

22 Where: _____

23 How (by telephone, in person, etc.): _____

24 Why attorney was not employed to handle your claim: _____

25 _____

26 _____

27 _____

28 (Attach additional sheets as needed)

5. Explain any other efforts you have made to contact an attorney to handle your claim:

I have made no efforts to contact an attorney to represent me in federal court. I do not know any attorneys that do pro bono work. I do not have proper funds to pay an attorney to appeal an Lwop case.

6. Give any other information which supports your application for the court to appoint an

attorney for you: I know counsel should be appointed due to the complexity of the issues set forth in my Habeas petition. At first sight my petition shows a real possibility of federal constitutional error. My ability to articulate the issues are poor. Because my sentence Lwop, age, time constraints, access to law library, little intelligence concerning the law, ~~the~~ counsel must be appointed to afford due process 14th amendment.

7. Give the name and address of each attorney who has represented you in the last 10 years

for any purpose: Gilbert Newton - arraignment, plea, preliminary hearing. 133 W. Lexington Ave.
EL Cajon, CA 92020

David Rawson - Trial
410 S. Melrose Dr. Suite 218
Vista, CA 92081

Nancy J. Wins - appeal
4100 Sixth Ave. Suite 210C
San Diego, CA 92101

(Attach additional sheets as needed)

(Any other attorneys
unknown as name,
address, hearings, matters
etc.)

8. I cannot afford to obtain a private attorney. The details of my financial situation are listed below:

A. Employment

Are you employed now? ☐ yes ☒ no ☐ am self-employed

Name and address of employer:

(ii) CashHave you any cash on hand or money in savings or checking accounts? ☒ yes ___ noIf "YES," state total amount ~~0000000000~~ 1,585.31(iii) PropertyDo you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)? ___ yes ☒ no

If "YES," give value and describe it:

ValueDescriptionC. Obligations and Debts(i) DependentsYour marital state is: ☒ single ___ married ___ widowed, separated or divorced.

Your total number of dependents is : _____

List those person you actually support, your relationship to them, and your monthly contribution to their support: NA

Name/RelationshipMonthly Support Payment

(ii) Debts and Monthly Bills

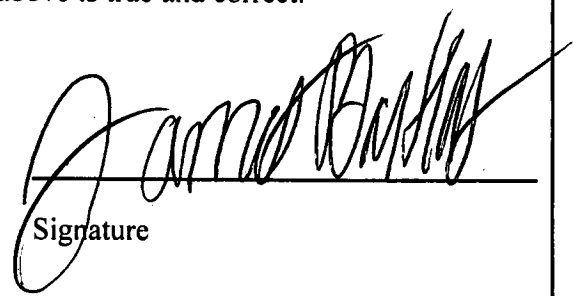
List all creditors, including banks, loan companies and charge accounts, etc.

<u>Creditor</u>	<u>Total Debt</u>	<u>Monthly Payment</u>
Rent: _____		
Mortgage		
on Home: _____		

Others: ~~XXXXXXXXXX~~ ~~XXXXXXXXXX~~ Restitution is 55% of money sent
~~XXXXXXXXXX~~ ~~XXXXXXXXXX~~ TO inmates.
~~XXXXXXXXXX~~ \$ 1,059
~~XXXXXXXXXX~~ beginning
Current Restitution
1,009.05

9. Signature

I declare under penalty of perjury that the above is true and correct.

Dated: 10/30/07

 Signature

(Notarization is not required)